

BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH
MINUTES OF PUBLIC MEETING
COMMISSION CHAMBERS, ROOM 1400
OF THE UTAH COUNTY ADMINISTRATION BUILDING
May 27, 2014 - 9:00 A.M.

PRESENT: COMMISSIONER GARY J. ANDERSON, CHAIR
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR
COMMISSIONER DOUG WITNEY

ALSO PRESENT:

E. Kent Sundberg, Civil Division Chief Attorney
Paul Jones, Utah County Deputy Attorney
Bryan E. Thompson, Utah County Clerk/Auditor
Scott C. Hogensen, Chief Deputy Clerk/Auditor
Vicky Westergard, Clerk/Auditor's Office - Tax Admin.
Julie Rollins, Utah County Purchasing Agent
Maria Blanchard, Children's Justice Center
Peggy Kelsey, Community Development
Dr. Joseph K. Miner, Health Department Exec. Director
Bryce C. Larsen, Utah County Health Department
Richard Nance, Drug&Alcohol Prevention&Treatment
Pat Bird, Drug & Alcohol Prevention & Treatment

Lana Jensen, Utah County Personnel Director
Jane Ivie, Personnel Office
Richard Nielson, Utah County Public Works Director
Jeff Smith, Utah County Recorder
Andrea Allen, Utah County Recorder's Office
Mike Forshee, Utah County Sheriff's Office
Dalene Higgins, Utah County Sheriff's Office
Gary Ratcliffe, Utah County Surveyor
Robert C. Kirk, Utah County Treasurer
Clara Makin, -No further information given-
James Makin, -No further information given-
Mike Stansfield, Fairways Media
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:01 A.M. and welcomed those present. The following matters were discussed:

PRAYER/READING/THOUGHT: Larry A. Ellertson, Utah County Commissioner
PLEDGE OF ALLEGIANCE: Doug Witney, Utah County Commissioner

PUBLIC HEARING

PUBLIC HEARING TO DISCUSS THE POTENTIAL DISPOSITION OF REAL PROPERTY OWNED BY UTAH COUNTY, CONSISTING OF PROPERTY IDENTIFIED AS PORTIONS OF TAX SERIAL NUMBER 58:036:0009 LOCATED AT OR NEAR 33 SOUTH SARATOGA ROAD, SARATOGA SPRINGS, UTAH (*Public Hearing set May 1, 2014*)

Utah County Public Works Director Richard Nielson summarized that portions of the park commonly used for radio-controlled helicopters and airplanes will be transferred to Saratoga Springs City as part of a previous land exchange. Commissioner Ellertson noted that the property must remain a park; if use changes, the land will revert to county ownership. Mr. Nielson confirmed, and mentioned that the forthcoming agreement would include this area as well as the property previously discussed. The commissioners invited anyone with public comment on this issue to come forward, and none approached the bench.

Commissioner Ellertson made the motion to close the public hearing to discuss the potential disposition of real property owned by Utah County, consisting of property identified as portions of Tax Serial No. 58:036:0009 located at or near 33 South Saratoga Road, Saratoga Springs, Utah as specified on the agenda. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

CONSENT AGENDA

1. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE NATIONAL CHILDREN'S ALLIANCE GRANT APPLICATION FOR THE UTAH COUNTY CHILDREN'S JUSTICE CENTER**
2. **RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON CHANGE ORDER NO. 3 TO AGREEMENT NO. 2013-635 WITH HARWARD & REES FOR THE PAYSON CANYON BRIDGE PROJECT**

The Board requested that Consent Agenda Item No. 2 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

3. **RATIFY THE SIGNATURE OF THE COMMISSION VICE-CHAIR ON AN AGREEMENT WITH HELO-WOOD HELICOPTERS, INC FOR AERIAL APPLICATION OF HERBICIDES**
4. **RATIFY THE SIGNATURE OF THE COMMISSION VICE-CHAIR ON AN AGREEMENT OF PURCHASE AND SALE OF PROPERTY BETWEEN UTAH COUNTY AND P.E.G. DEVELOPMENT, L.L.C.**

The Board requested that Consent Agenda Item No. 4 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

5. **ACCEPT THE DONATION OF \$500 FROM THE JORDAN RIVER COMMISSION FOR SUPPLIES FOR A CLEAN-UP EVENT ALONG THE JORDAN RIVER NEAR INLET PARK**
6. **APPROVE AND ADOPT THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION REGARDING THE SOUTH SHORE FARMS, LC APPLICATION FOR AGRICULTURE PROTECTION AREA, 787.713 ACRES LOCATED IN SECTIONS 9, 10, 15, & 16, TOWNSHIP 8 SOUTH, RANGE 1 EAST, SLB&M, NORTHWEST AREA OF WEST MOUNTAIN UTAH COUNTY**

The Board requested that Consent Agenda Item No. 6 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

7. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH CENTRAL UTAH WATER CONSERVANCY DISTRICT TO HAVE ONE DEPUTY SECURE 1120 EAST CASCADE DRIVE, OREM (WATER PLANT) EACH NIGHT FROM 10:00 P.M. TO 2:00 A.M. MAY 8 THROUGH 11, 2014**
8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SUPPLEMENTAL LAW ENFORCEMENT CONTRACT WITH KRISTIN SOKOL TO HAVE ONE DEPUTY SECURE AND CONDUCT TRAFFIC CONTROL ON CEDAR FORT ROAD (HWY 73) AND RANCHES PARKWAY FROM 9:00 A.M. TO 1:00 P.M. ON MAY 10, 2014**
9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN INTERLOCAL AGREEMENT WITH PROVO CITY FOR THE 2014 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDING**

The Board requested that Consent Agenda Item No. 9 be moved to the Regular Agenda for discussion.
PULLED TO REGULAR

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10. APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20307, DATED MAY 21, 2014
11. APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 07:080:0009 (AGREEMENT NO. 2013-208)
12. APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 04:062:0041 (AGREEMENT NO. 2013-218)
13. APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 39:012:0005 (AGREEMENT NO. 2013-219)
14. ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE FOSTER GRANDPARENT PROGRAM AND THE CHILDREN'S JUSTICE CENTER
15. APPROVE THE MINUTES OF THE APRIL 29, 2014 COMMISSION MEETING
16. RATIFICATION OF PAYROLL

Period 10	7 Checks: \$5,353.93	1,099 Total Deposits: \$1,420,094.68	Total: \$1,425,448.61
		Federal Payroll Taxes	Total: \$ 201,874.70
17. RATIFICATION OF WARRANT REGISTER SUMMARY FOR MAY 20, 2014

Register No. 540	May 12, 2014	Direct Deposit:19375-19375	Total: \$ 66.85
Register No. 541	May 12, 2014	Check Nos. 194109-194130	Total: \$ 77,370.24
Register No. 542	May 12, 2014	Purchasing Cards 2073-2077	Total: \$ 3,200.13
Register No. 543	May 12, 2014	Direct Deposit:19376-19409	Total: \$ 7,014.79
Register No. 544	May 12, 2014	Check Nos. 194131-194158	Total: \$ 5,619.50
Register No. 545	May 12, 2014	Direct Deposit:19410-19428	Total: \$ 6,167.22
Register No. 546	May 12, 2014	Check Nos. 194159-194179	Total: \$ 5,761.40
Register No. 547	May 12, 2014	Check Nos. 194180-194182	Total: \$ 20,239.25
Register No. 548	May 12, 2014	Purchasing Cards 2078-2113	Total: \$ 7,770.92
Register No. 549	May 12, 2014	Purchasing Cards 2114-2115	Total: \$ 149.22
Register No. 550	May 13, 2014	Check Nos. 194183-194198	Total: \$ 10,988.46
Register No. 551	May 14, 2014	Check Nos. 194199-194255	Total: \$ 2,520.00
Register No. 552	May 14, 2014	Purchasing Cards 2116-2117	Total: \$ 369.65
Register No. 553	May 14, 2014	Check Nos. 194256-194259	Total: \$ 1,545.25
Register No. 554	May 15, 2014	Purchasing Cards 2118-2118	Total: \$ 25.25
Register No. 555	May 15, 2014	Bond Wires:278-280	Total: \$ 202,149.39
Register No. 556	May 15, 2014	Direct Deposit:19429-19468	Total: \$ 936,985.86
Register No. 557	May 15, 2014	Check Nos. 194260-194335	Total: \$ 172,158.08
Register No. 558	May 16, 2014	Direct Deposit:19469-19470	Total: \$ 1,194.95
Register No. 559	May 16, 2014	Purchasing Cards 2119-2119	Total: \$ 33.44
Register No. 560	May 16, 2014	Check Nos. 194336-194336	Total: \$ 164.43
Register No. 561	May 16, 2014	Check Nos. 194337-194426	Total: \$ 447,333.66
			<u>Total: \$1,908,827.94</u>

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18. RATIFICATION OF WARRANT REGISTER SUMMARY FOR MAY 27, 2014

Register No. 562	May 19, 2014	Check Nos. 194427-194449	Total: \$ 98,702.35
Register No. 563	May 19, 2014	Direct Deposit:19471-19472	Total: \$ 669.50
Register No. 564	May 19, 2014	Purchasing Cards 2120-2130	Total: \$ 15,880.29
Register No. 565	May 20, 2014	Check Nos. 194450-194450	Total: \$ 280.00
Register No. 566	May 20, 2014	Bond Wires:281-285	Total: \$4,199,350.49
Register No. 567	May 20, 2014	Check Nos. 194451-194505	Total: \$ 38,945.48
Register No. 568	May 21, 2014	Direct Deposit:19473-19496	Total: \$ 9,147.84
Register No. 569	May 21, 2014	Check Nos. 194506-194506	Total: \$ 1,331.04
Register No. 570	May 21, 2014	Check Nos. 194507-194542	Total: \$ 99,321.09
Register No. 571	May 22, 2014	Direct Deposit:19497-19499	Total: \$ 4,113.98
Register No. 572	May 22, 2014	Check Nos. 194543-194565	Total: \$ 13,371.26
Register No. 573	May 23, 2014	Direct Deposit:19500-19508	Total: \$ 5,128.90
Register No. 574	May 23, 2014	Check Nos. 194566-194619	Total: \$ 200,809.73
Register No. 575	May 23, 2014	Direct Deposit:19509-19509	Total: \$ 2,120.58
Register No. 576	May 23, 2014	Check Nos. 194620-194622	Total: \$ 31,693.95
Register No. 577	May 23, 2014	Check Nos. 194623-194623	Total: \$ 45,452.64
Register No. 578	May 23, 2014	Check Nos. 194624-194632	Total: \$ 791,752.52
		Total:	<u>\$5,558,071.64</u>

Consent Agenda Item Nos. 1, 3, 5, 7, 8, and 10 through 18 were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

- 1. APPROVE EMPLOYEE DONATION OF LEAVE TIME WITHIN THE UTAH COUNTY DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT**
- 2. ADD ONE ATTORNEY III - CIVIL POSITION (CLASS CODE 2009, ACCOUNT 100-41452) TO THE STAFFING PLAN OF THE ATTORNEY'S OFFICE, DELETING ONE ATTORNEY II - CIVIL POSITION (CLASS CODE 2008)**

The Board requested that Regular Agenda Item No. 2 be stricken from the calendar.
 STRICKEN

- 3. ADD ONE PARALEGAL II POSITION (CLASS CODE 5700, ACCOUNT 100-41451) TO THE STAFFING PLAN OF THE ATTORNEY'S OFFICE, DELETING ONE PARALEGAL I POSITION (CLASS CODE 5701) IN ORDER TO FACILITATE A CAREER LADDER ADVANCEMENT**
- 4. ADD ONE FULL-TIME CAREER SERVICE BUREAU DIRECTOR - ENVIRONMENT HEALTH POSITION (CLASS CODE 1053, ACCOUNT 230-43110) TO THE STAFFING PLAN OF THE ENVIRONMENTAL HEALTH DIVISION OF THE HEALTH DEPARTMENT, DELETING ONE FULL-TIME CAREER SERVICE ENVIRONMENTAL HEALTH SCIENTIST I POSITION (CLASS CODE 3610)**

*See note on Page 9.

- 7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C3 - LOCAL HEALTH DEPARTMENT GENERAL CLUSTER GRANT FY2015 AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR THE HEALTHY LIVING, VIOLENCE AND INJURY PREVENTION, AND ARTHRITIS PROGRAMS**

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8. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C6 - LOCAL HEALTH DEPARTMENT GENERAL CLUSTER GRANT FY2015 AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR PERFORMANCE STANDARDS**
9. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C9 - LOCAL HEALTH DEPARTMENT GENERAL CLUSTER GRANT FY2015 AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR THE WISEWOMAN AND CANCER PROGRAMS**
10. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE C10 - LOCAL HEALTH DEPARTMENT GENERAL CLUSTER GRANT FY2015 AGREEMENT WITH THE UTAH DEPARTMENT OF HEALTH FOR TOBACCO PREVENTION AND CONTROL**
11. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE SAFE KIDS WORLDWIDE COALITION AGREEMENT TO PROTECT CHILDREN FROM UNINTENTIONAL INJURIES**
12. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO LEASE AGREEMENT NO. 2012-439 WITH BRUCE BERGLUND, EXTENDING THE TERMS FOR AN ADDITIONAL TWELVE MONTHS**
13. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE 2014 BYRNE JUSTICE ASSISTANCE GRANT (JAG) APPLICATION TO THE UTAH STATE COMMISSION ON CRIMINAL AND JUVENILE JUSTICE TO FUND THE OUT PLUS PROGRAM AT THE UTAH COUNTY JAIL**
17. **APPROVE AND AUTHORIZE THE UTAH COUNTY CLERK/AUDITOR TO SIGN A QUIT CLAIM DEED FOR THE SALE OF PROPERTY TO GEOFF AND JENNIFER GROBERG**
21. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-233 WITH NEIL SHELLEY FOR BEE INSPECTION**
22. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-234 WITH CHARLES SIGLER FOR BEE INSPECTION**
23. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF ALPINE FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
24. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF AMERICAN FORK FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
25. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF CEDAR HILLS FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
26. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF EAGLE MOUNTAIN FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**

The commissioners requested that Regular Agenda Item No. 26 be continued to the next meeting of the Board.

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27. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF LEHI FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
28. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF LINDON FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
29. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF MAPLETON FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
30. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF OREM FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
31. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF PAYSON FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
32. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF PLEASANT GROVE FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
33. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF PROVO FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
34. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF SALEM FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
35. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF SANTAQUIN FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
36. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF SARATOGA SPRINGS FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
37. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF SPANISH FORK FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**
38. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF SPRINGVILLE FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**

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- 39. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO EXECUTE AN AGREEMENT WITH THE CITY OF WOODLAND HILLS FOR A UTAH COUNTY COMMUNITY ACTIVITIES GRANT FOR A TOURISM AND RECREATION DEVELOPMENT PROJECT**

ACTIONS TAKEN

Consent Agenda Item Nos. 1, 3, 16, 17 and 18 were ratified; No. 5 was accepted; Nos. 7 and 8 were approved and authorized; Nos. 10, 11, 12, 13 and 15 were approved; and No. 14 was adopted. Regular Agenda Item Nos. 1, 3, and 4 were approved; No. 2 was stricken from the agenda; Nos. 7 through 13, 17, 21 through 25, and 27 through 39 were approved and authorized; and No. 26 was continued to the June 3, 2014 meeting of the Board.

AGREEMENT NOS.: 2014-318, 2014-319, 2014-320, 2014-321, 2014-322, 2014-323, 2014-324, 2014-325, 2014-326, 2014-327, 2014-328, 2014-329, 2014-330, 2014-331, 2014-332, 2014-333, 2014-334, 2014-335, 2014-336, 2014-337, 2014-338, 2014-339, 2014-340, 2014-341, 2014-342, 2014-343, 2014-344, 2014-345, 2014-346, 2014-347, 2014-348, 2014-349, 2014-350, 2014-351 and 2014-352
RESOLUTION NO.: 2014-61

REGULAR AGENDA

(PULLED FROM CONSENT)

- 2. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON CHANGE ORDER NO. 3 TO AGREEMENT NO. 2013-635 WITH HARWARD & REES FOR THE PAYSON CANYON BRIDGE PROJECT**

Utah County Public Works Director Richard Nielson clarified for Commissioner Ellertson that the \$2,000 charge for mobilization should technically be considered re-mobilization. There is also additional rock and concrete work needed.

Commissioner Ellertson made the motion to ratify the signature of the Commission Chair on Change Order No. 3 to Agreement No. 2013-635 with Harward & Rees for the Payson Canyon Bridge Project as detailed in Consent Agenda Item No. 2. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-353

(PULLED FROM CONSENT)

- 4. RATIFY THE SIGNATURE OF THE COMMISSION VICE-CHAIR ON AN AGREEMENT OF PURCHASE AND SALE OF PROPERTY BETWEEN UTAH COUNTY AND P.E.G. DEVELOPMENT, L.L.C.**

When Commissioner Witney asked about fund restrictions, Utah County Deputy Attorney David Shawcroft and Utah County Clerk/Auditor Bryan E. Thompson indicated they could work together in determining whether or not they were originally bond funds.

Commissioner Witney made the motion to ratify the signature of the Commission Vice-Chair on an agreement for purchase and sale of property with P.E.G. Development, L.L.C. as described in Consent Agenda Item No. 4.

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The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

AGREEMENT NO. 2014-354

(PULLED FROM CONSENT)

6. APPROVE AND ADOPT THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION REGARDING THE SOUTH SHORE FARMS, LC APPLICATION FOR AGRICULTURE PROTECTION AREA, 787.713 ACRES LOCATED IN SECTIONS 9, 10, 15, & 16, TOWNSHIP 8 SOUTH, RANGE 1 EAST, SLB&M, NORTHWEST AREA OF WEST MOUNTAIN UTAH COUNTY

Commissioner Ellertson noted some errors on the support documents for this agenda item; Utah County Deputy Attorney David Shawcroft, along with Peggy Kelsey of the Utah County Community Development Office, confirmed that they would provide the correct original master agreement for filing.

Commissioner Witney made the motion to approve and adopt the Findings of Fact, Conclusions of Law, and Decision regarding the South Shore Farms, LC Application for Agriculture Protection Area in the northwest area of West Mountain as defined in Consent Agenda Item No. 6. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

AGREEMENT NO. 2014-355

(PULLED FROM CONSENT)

9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN INTERLOCAL AGREEMENT WITH PROVO CITY FOR THE 2014 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDING

Dalene Higgins of the Utah County Sheriff's Office explained that Provo City would be the only recipient of funds from this grant this year.

Commissioner Witney made the motion to approve and authorize and interlocal agreement with Provo City for the 2014 Byrne Justice Assistance Grant (JAG) Program Funding as discussed in Consent Agenda Item No. 9. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

AGREEMENT NO. 2014-356

REGULAR AGENDA

5. ADD ONE FULL-TIME CAREER SERVICE DEPUTY SHERIFF III POSITION TO THE ENFORCEMENT DIVISION OF THE SHERIFF'S OFFICE (CLASS CODE 4016, ACCOUNT 100-42110)

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Utah County Clerk/Auditor Bryan E. Thompson stated that his questions had been answered, directly from Utah County Personnel Director Lana Jensen to Financial Officer Danene Jackson.

Commissioner Witney made the motion to add one full-time Career Service Deputy Sheriff III position to the Enforcement Division of the Sheriff's Office as outlined in Regular Agenda Item No. 5. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

APPROVED

*Note:

Though previously addressed as part of the Consent Agenda, the commissioners returned to discussion of Regular Agenda Item No. 4 regarding the addition of an Environmental Health Bureau Director to, and deletion of an Environmental Health Scientist I position from the Health Department Staffing Plan. Utah County Health Department Executive Director Dr. Joseph K. Miner commented on the vacant position to be deleted; the supervisory functions are being filled by individuals with less seniority, so the salaries are lower. Dr. Miner and Commissioner Ellertson discussed whether or not that would require an increase in the 2015 County Budget.

The commissioners moved forward with the remaining agenda items as numbered.

6. APPROVE OR DENY A LATE VETERAN ABATEMENT FOR JAMES EARL MAKIN, SERIAL NO. 02:028:0002

James Earl Makin came forward to introduce himself and his wife to the commissioners. Commissioner Ellertson summarized that Mr. Makin had just been granted the veteran status that would make him eligible for this abatement.

Commissioner Ellertson made the motion to approve the late veteran abatement application for James Earl Makin on Property Serial No. 02:028:0002 as specified in Regular Agenda Item No. 6, with the finding that it would be against equity and good conscience to deny the application. The motion was seconded by Commissioner Witney and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

APPROVED

14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH BACH HARRISON LLC FOR SURVEY ANALYSIS AND GEOGRAPHICAL REPORTING FOR USE IN COUNTY PREVENTION EFFORTS

Pat Bird of the Utah County Department of Drug and Alcohol Prevention and Treatment explained that Bach Harrison LLC is the independent contractor for the State of Utah. They have collected data over the past decade that would be useful in substance abuse prevention efforts by the county. Mr. Bird noted it is easier to retain Bach Harrison through the state contract, rather than compile new data. Commissioners Anderson and Witney commended the success of the program, and Mr. Bird spoke of the long-term investment for the community.

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Commissioner Witney made the motion to approve and authorize the agreement with Bach Harrison LLC for survey analysis and geographical reporting as identified in Regular Agenda Item No. 14. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-357

15. APPROVE OR DENY A REQUEST FROM THE OLLIE KAI HEBB MEMORIAL TO WAIVE THE EVENT PERMIT FEE IN THE AMOUNT OF \$200.00 FOR USE OF A PORTION OF THE MURDOCK CANAL TRAIL, FOR THE “H2O RUN” TO BE HELD AUGUST 23, 2014

Commissioner Ellertson pointed out that this same request from the Ollie Kai Hebb Memorial was granted last year, but the foundation has not submitted proof that they are a 501(c)(3) entity. Utah County Public Works Director Richard Nielson clarified that they are a non-profit group even if not tax-exempt. Utah County Civil Division Chief Deputy Attorney E. Kent Sundberg confirmed that the Board can legally waive fees for this group. When Utah County Deputy Attorney Paul Jones explained that the group provides clean drinking water to those without, the commissioners questioned whether it is central to Utah County or distributed worldwide. The attorneys were unsure, and the Board suggested continuing discussion at the next meeting.

Commissioner Witney made the motion to continue Regular Agenda Item No. 15 regarding a request from the Ollie Kai Hebb Memorial to waive the event permit fee for the “H2O Run” to the June 3, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

CONTINUED TO JUNE 3, 2014

16. APPROVE OR DENY A REQUEST FROM ABILITY 1ST UTAH FOR A WAIVER OF THE EVENT PERMIT FEE IN THE AMOUNT OF \$300.00 FOR USE OF PORTIONS OF THE LOWER PROVO RIVER PARKWAY AND NORTH BOAT HARBOR DRIVE FOR THE “ABILITY 1ST RUN, WALK & ROLL” TO BE HELD SEPTEMBER 20, 2014

Commissioner Ellertson mentioned the same event taking place last year, and Commissioner Anderson commented on participation.

Commissioner Witney made the motion to waive the event permit fee in the amount of \$300.00 for use of portions of the Lower Provo River Parkway and North Boat Harbor Drive for the “Ability 1st Run, Walk & Roll” to be held September 20, 2014 as described in Regular Agenda Item No. 16, with the finding that the benefit to the community exceeds the monetary fees in fair and adequate consideration to the county. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None**

AGREEMENT NO. 2014-358

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18. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE FY2014 COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING AND FINANCIAL PLAN WITH THE USDA FOREST SERVICE INTERMOUNTAIN REGION: UINTA-WASATCH-CACHE NATIONAL FOREST (MODIFICATION NO. 6 TO AGREEMENT NO. 2010-740, FS AGREEMENT NO. 10-LE-11041915-059)

Mike Forshee of the Utah County Sheriff's Office noted that the Operating and Financial Plan is submitted annually. Utah County Deputy Attorney Cort Griffin pointed out that there are services referenced in the plan that are not actually provided by the Sheriff's Office. Mr. Forshee, Mr. Griffin, and Commissioner Anderson discussed the details.

Commissioner Witney made the motion to ratify the signature of the Commission Chair on the FY2014 Cooperative Law Enforcement Annual Operating and Financial Plan with the USDA Forest Service Intermountain Region: Uinta-Wasatch-Cache National Forest as identified in Regular Agenda Item No. 18. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney**

NAY: None

AGREEMENT NO. 2014-359

19. RATIFY THE SIGNATURE OF THE COMMISSION CHAIR ON THE FY2014 ANNUAL DRUG OPERATIONS AND FINANCIAL PLAN WITH THE USDA FOREST SERVICE INTERMOUNTAIN REGION: LAW ENFORCEMENT AND INVESTIGATIONS

Utah County Civil Division Chief Deputy Attorney E. Kent Sundberg stated that there are language concerns in the Drug Operations and Financial Plan that should be addressed before moving forward. Commissioner Ellertson had questions for Dalene Higgins of the Utah County Sheriff's Office, and suggested continuing discussion at the next meeting.

Commissioner Witney made the motion to continue Regular Agenda Item No. 19 regarding the FY2014 Annual Drug Operations and Financial Plan with the USDA Forest Service Intermountain Region: Law Enforcement and Investigations to the June 3, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:

**AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney**

NAY: None

CONTINUED TO JUNE 3, 2014

20. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH LEHI CITY FOR A UTILITY EASEMENT ACROSS PART OF THE COUNTY PARKWAY TRAIL LOCATED EAST OF THE JORDAN RIVER AND ON THE NORTH SIDE OF THE STATE ROAD

Utah County Deputy Attorney Robert J. Moore suggested an amendment to Paragraph 4 of this agreement with Lehi City. He acknowledged that the city has some qualms about the change. Utah County Public Works Director Richard Nielson explained that the pole in question is sixteen inches from the trail, and the county generally prefers more space. The language submitted by the city states that the county would be responsible for any relocation of said pole; the county is reversing that language to hold Lehi City accountable.

Commissioner Witney made the motion to approve and authorize the agreement with Lehi City for a Utility Easement across part of the County Parkway Trail as discussed in Regular Agenda Item No. 20, with the changes to Paragraph 4 as noted by the Utah County Attorney's Office.

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The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

AGREEMENT NO. 2014-360
APPROVED WITH CHANGES

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

43. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY
STRICKEN

44. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED
STRICKEN

Commissioner Witney made the motion to strike Regular Agenda Item Nos. 43 and 44 to set dates, times and locations for closed meetings for a strategy session to discuss the sale of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

40. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

SET

41. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION

Commissioner Ellertson made the motion to set a date, time and location for a closed

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meeting for a strategy session to discuss pending or reasonably imminent litigation to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

SET

42. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the purchase, exchange, or lease of real property to immediately follow the previously scheduled closed meetings today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

SET

WORK SESSION

NO WORK SESSION ITEMS WERE SUBMITTED

PUBLIC COMMENTS

There were no public comments and the meeting recessed at 9:40 A.M. to go into closed meetings. The public meeting reconvened at 10:38 A.M.

Commissioner Witney made the motion to adjourn the May 27, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Ellertson and carried with the following vote:

AYE: Gary J. Anderson
Larry A. Ellertson
Doug Witney
NAY: None

There being no further business nor public comment, the meeting adjourned at 10:38 A.M. The minutes of the May 27, 2014 Commission Meeting were approved as transcribed on June 17, 2014.

GARY J. ANDERSON, Commission Chair

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ATTEST:

BRYAN E. THOMPSON
Utah County Clerk/Auditor